

REMARKS

Claims 1-16 were pending in this case. Claims 1-7 were withdrawn. Claims 9-10 and 13-16 are amended. New claims 17-20 are added. The three-month deadline with two-month extension for a reply is June 30, so a two-month extension fee is included with this amendment.

In paragraph 1 of page 2, claims 9-16 were rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. The Examiner's rejection of claims 9-16 is respectfully noted, and claims 9-10 and 13-16 are amended to clarify the invention. New claims 17-20 are also added to clarify the invention.

Claim 9 is an independent claim for a method of conflict resolution. A method for conflict resolution is similar to a method for doing business, and since the 1998 State Street Bank & Trust Co. v. Signature Financial Group Inc. case referred to by the Examiner, such business method claims have been allowable and patentable with sufficient novelty, utility, and non-obviousness. Just as the conduct of business implicitly or explicitly requires negotiation, conflict resolution implicitly or explicitly requires negotiation. Conflict resolution may or may not require the exchange of money or other assets, or the mutual performance of promises between different parties. Likewise, methods of doing business also may or may not require the exchange of money or other assets, or the mutual performance of promises between different parties.

Methods of doing business also may or may not always achieve a mutual goal, just as a method of conflict resolution may or may not always achieve a mutual goal. But this does not make methods of doing business (e.g., in the workplace) unpatentable, and therefore should not make methods of conflict resolution (e.g., in the workplace) unpatentable either.

Many methods of conflict resolution developed in the past. These methods range from negotiation to mediation to arbitration to litigation, with dozens of variations and permutations included. The disclosed method claimed by amended claim 9 appears to be unique, since it has not been disclosed in the previous literature of the legal profession specializing in alternative dispute resolution, at least not to my knowledge. Therefore, this method appears to be novel.

The use of three rotating groups of participants and a chorus has apparently not been suggested or implied by others, so this method also appears to be non-obvious.

The question of utility is the third requirement for patentable subject matter. Since even methods of doing business do not always succeed in all circumstances, the utility of an invention

should not be judged by the requirement of 100% success in all applications in all conditions. Rather, the question might be better phrased as to whether the result could bring a practical benefit to some segment of society in order to demonstrate utility. The invention of amended claim 9, if successful, will shorten disputes and at least avoid costly litigation at public expense, and it could possibly prevent violence and serious bodily harm between parties in dispute.

Since amended claims 10-16 depend on amended independent claim 9, they would be allowable for the same reasons as amended independent claim 9.

New independent claim 17 is allowable for the same reasons as independent claim 9. Since new dependent claims 18-20 depend on new independent claim 17, they would be allowable for the same reasons that new independent claim 17 is allowable.

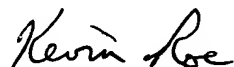
No new matter is introduced by these amendments. In view of the preceding amendments and remarks, Applicant respectfully requests reconsideration of the application.

SUMMARY

In conclusion, claims 9-20 are pending in this application. Claims 9-10 and 13-16 have been amended, and new claims 17-20 have been added, to clarify the invention in response to the Examiner's rejection. Applicant respectfully requests that the Examiner withdraw his rejection and pass the application to issue.

A power of attorney and correspondence address indication form is also submitted. Applicant's undersigned attorney can be reached at (408) 374-7035. All correspondence should be directed to the address indicated below.

Respectfully submitted for Carol Ann Trufant,



Dated: June 27, 2005

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